

REPORT OF THE COMMITTEE ON ZONING AND BUILDING

March 17, 2009

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: President Stroger and Chairman Silvestri, Vice Chairman Murphy, Commissioners Beavers, Butler, Claypool, Daley, Gorman, Goslin, Maldonado, Moreno, Peraica, Schneider Sims and Suffredin (14)

Absent: Commissioners Collins, Quigley and Steele (3)

Ladies and Gentlemen:

Your Committee on Zoning and Building, having had under consideration the matter hereinafter mentioned, respectfully reports and recommends as follows:

SECTION 1

Your Committee has considered the following numbered and described application requesting a public hearing before the Cook County Zoning Board of Appeals on a request for a Map Amendment on certain property described therein:

278219 DOCKETS #8093 - JAMES MARTH and JOHN NOGA, Owners, Beneficiaries of Southwest Financial Bank & Trust TUT #L-0813, 9901 South Western Avenue, Chicago, Illinois 60643, Application (No. SU-06-04; Z06048). Submitted by Marth Construction Company, 14800 South 80th Avenue, Orland Park, Illinois. Final Planned Unit Development previously approved. Seeking a MAP AMENDMENT from the R-4 Single Family Residence District to a R-6 General Residence District for the development and construction of thirty four (34) townhomes (if granted under companion SU-06-04) in Section 20 of Orland Township. Property consists of 5.987+ acres, bounded on the north by Hancock Street; by Orange on the east; by Merle Creek on the south; and by Wolf Road on the west in Orland Township, County Board District #17. Intended use: 34 townhomes. **Recommendation: That the application for a Final Planned Unit Development be granted with conditions.**

Conditions: Yes

Objectors: None

***Previously approved on 02/21/07**

The Cook County Zoning Board of Appeals to whom said application was referred, submitted a communication setting forth its findings and recommendations following public hearings held thereon, and recommended that said application be granted subject to conditions as stated in the findings.

Per request on the above applications the Building and Zoning Department and the Zoning Board of Appeals recommends approval with the following conditions:

1. The Army Corps of Engineers permit acknowledging completion of payment to the Wetlands Mitigation of Illinois, LLC.
2. Proof of bond posted with Orland Township for the perpetual maintenance of the private infrastructure to be constructed outside the Township R.O.W., including the proposed drainage and detention system which also serves other developments including Alpine Heights Townhome North, Alpine Heights Subdivision, and the Kingsport Subdivision, located in the Village of Orland Park.

Your Committee has considered the following numbered and described application requesting a public hearing before the Cook County Zoning Board of Appeals on a request for a Special Use on certain property described therein:

278220 DOCKETS #8094 - JAMES MARTH and JOHN NOGA, Owners, Beneficiaries of Southwest Financial Bank & Trust TUT #L-0813, 9901 South Western Avenue, Chicago, Illinois 60643, Application (No. SU-06-04; Z06048). Submitted by Marth Construction Company, 14800 South 80th Avenue, Orland Park, Illinois. Seeking SPECIAL USE for a Planned Unit Development in the R-6 General Residence District (if granted under companion A-06-02) for the development and construction of thirty four (34) townhomes in Section 20 of Orland Township. Property consists of 5.987+ acres, bounded on the north by Hancock Street; by Orange on the east; by Merle Creek on the south; and by Wolf Road on the west in Orland Township County Board District #17. Intended use: A residential Planned Unit Development for 34 townhomes.

Recommendation: That the application for a Final Planned Unit Development be granted with conditions.

Conditions: Yes

Objectors: None

***Previously approved on 02/21/07**

The Cook County Zoning Board of Appeals to whom said application was referred, submitted a communication setting forth its findings and recommendations following public hearings held thereon, and recommended that said application be granted subject to conditions as stated in the findings.

Per request on the above applications the Building and Zoning Department and the Zoning Board of Appeals recommends approval with the following conditions:

1. The Army Corps of Engineers permit acknowledging completion of payment to the Wetlands Mitigation of Illinois, LLC.

2. Proof of bond posted with Orland Township for the perpetual maintenance of the private infrastructure to be constructed outside the Township R.O.W., including the proposed drainage and detention system which also serves other developments including Alpine Heights Townhome North, Alpine Heights Subdivision, and the Kingsport Subdivision, located in the Village of Orland Park.

Commissioner Butler, seconded by Commissioner Gorman, moved the approval of Communication No. 278219 and 278220 as amended. The motion carried unanimously.

SECTION 2

Your Committee has considered the following item and upon the adoption of this report the recommendation is as follows:

289815 AN AMENDMENT TO THE COOK COUNTY BUILDING ORDINANCE, PART C GENERAL REQUIREMENTS, SECTION 36.4 MATERIALS FOR PLUMBING (PROPOSED ORDINANCE AMENDMENT). Submitting a Proposed Ordinance Amendment sponsored by Anthony J. Peraica, County Commissioner.

PROPOSED ORDINANCE AMENDMENT

WHEREAS, Cook County is a home rule unit of local government pursuant to Article VII, Section 6(a) of the 1970 Illinois Constitution, and as such may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Cook County Building Code currently forbids the use of PVC pipe for residential construction; and

WHEREAS, the use of PVC pipe for certain types of residential construction would result in a substantial cost savings for those who are building or remodeling a residential building; and

WHEREAS, various municipalities, including New York City, Los Angeles, and the City of Chicago allow for PVC pipe to be utilized for certain types of residential construction.

NOW, THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners that Part C General Requirements, Article XXXVI Sanitation and Plumbing Requirements, Section 36.4 Materials for Plumbing of the Cook County Building Ordinance is hereby amended as follows:

Section 36.4. Materials for Plumbing.

Materials	ASA	ASTM	Other Standards
Plastic PVC Pipe, IPS (b)		D1785	
Plastic PVC Pipe, Solvent Welded			

(b) Refer to other sections of this Article for limitations on the use of a specific material. Plastic ABS pipe ~~and plastic PVC pipe~~ may be used only with the approval of the Building Commissioner for the particular use. Usage of plastic ABS pipe shall be limited to storm drainage and special wastes and liquid handling, and shall not be permitted for general water supply or building waste. Usage of plastic PVC pipe shall be limited to storm drainage, special wastes and liquid handling, and general water supply and building waste in residential buildings that are five stories or less.

***Referred to the Committee on Zoning and Building on 10/16/07.**

Commissioner Peraica, seconded by Commissioner Schneider, moved to Receive and File Communication No. 289815. The motion carried unanimously.

SECTION 3

Your Committee has considered the following numbered and described application requesting a public hearing before the Cook County Zoning Board of Appeals on a request for a Special Use, Unique Use on certain property described therein:

296766 DOCKET #8483 - ROBERT WILKOWSKI, Owner, 18314 Glenwood-Thornton Road, Glenwood, Illinois 60425. Application (No. SU-08-06; Z08101). Submitted by same. Seeking a SPECIAL USE, UNIQUE USE in the I-2 General Industrial District for a continued use of a single family residence (existing) in Section 04 of Bloom Township. Property consists of 0.79 of an acre located on the west side of Glenwood-Thornton Road approximately 438 feet south of 183rd Street in Bloom Township, County Board District #6. Intended use: Continued use property and single family house.

Recommendation: That the application be granted.

Conditions: None

Objectors: None

The Cook County Zoning Board of Appeals to whom said application was referred, submitted a communication setting forth its findings and recommendations following public hearings held thereon, and recommended that said application be granted subject to conditions as stated in the findings.

Commissioner Goslin, seconded by Vice Chairman Murphy, moved the approval of Communication Nos. 296766. The motion carried unanimously.

SECTION 4

Your Committee has considered the following numbered and described application requesting a public hearing before the Cook County Zoning Board of Appeals on a request for a Special Use, Unique Use on certain property described therein:

297143 DOCKET #8489 - ELEANORE K. GARBER, Owner, 40947 North Champaign Drive, Antioch, Illinois 60002. Application (No. SU-08-07; Z08105). Submitted by Scott Miller, Miller Realty Group LLC, 12 Creekside Lane, Barrington Hills, Illinois. Seeking a SPECIAL USE, UNIQUE USE in the R-1 Single Family Residence District to operate a landscape company in Section 28 of Barrington Township. Property consists of 6.07 acres located on the east side of Sutton Road, approximately 1,200 feet south of Penny Road in Barrington Township, County Board District #14. Intended use: Operate landscape company from property.

Recommendation: That the application be granted with conditions.

Conditions: Yes

Objectors: Yes

The Cook County Zoning Board of Appeals to whom said application was referred, submitted a communication setting forth its findings and recommendations following public hearings held thereon, and recommended that said application be granted subject to conditions as stated in the findings.

1. The term "Change in Control" shall mean (a) a sale of more than one half of the voting securities of the (applicant) (or the entity ultimately owning controlling (applicant) or sale or exchange of all or substantially all of the assets of the (applicant), (b) a merger or consolidation involving (applicant) where (applicant) is not the survivor in such merger or consolidation (or the entity ultimately owning or controlling such survivor), (c) a liquidation, winding up or dissolution of (applicant) or (d) an assignment for the benefit of creditors, foreclosure sale, voluntary filing of a petition under the Bankruptcy Reform Act of 1978, as amended, or an involuntary filing under such act which filing is not stayed or dismissed within forty-five (45) days of filing. Notwithstanding the foregoing, any transfer of the business or real estate to the children of the owner, shall not constitute a change of control.
2. Limit weekday operating hours for the landscape portion to: from 6:00 a.m. to 6:00 p.m. Friday through Saturday. No operations on Sunday for the snow removal portion: on demand when it snows.
3. Use is limited to Miller Brothers and no other landscaper may sublet or share any portion of the yard or buildings.
4. No exterior unshielded lighting
5. No retail or wholesale operations.

6. All vehicles used in the business including employee vehicles to be parked behind the barn out of sight from the roadway.
7. No wood chipping, grinding or similar activities.

Commissioner Goslin, seconded by Vice Chairman Murphy, moved the approval of Communication No. 297143. The motion carried unanimously.

Commissioner Maldonado moved to adjourn, seconded by Vice Chairman Murphy, the motion carried and the meeting was adjourned.

Respectfully submitted,
Committee on Zoning and Building

Peter N. Silvestri, Chairman

Attest:

Matthew B. DeLeon, Secretary